



County of San Luis Obispo, California

PARKS & RECREATION COMMISSION

COUNTY PARKS AND RECREATION COMMISSION AGENDA ITEM TRANSMITTAL

TO: Parks and Recreation Commission

FROM: General Services Agency / Shaun Cooper

781-4388

SUBJECT: Review and recommend Board of Supervisors action(s) regarding the Santa Margarita to Garden Farms Easement agreement. District 5

DATE: 6/27/2013

Recommendations:

Request that the Parks and Recreation Commission recommend that the Board of Supervisors approve the Santa Margarita to Garden Farms Easement Agreement.

Discussion:

The proposed trail easement between Santa Margarita and Garden Farms is identified in the County's Parks and Recreation Element as part of the Juan Bautista de Anza National Historic Trail. In a 2006 letter to the Santa Margarita Area Advisory Council (SMAAC), Mr. Rob Rossi outlined his proposed concept for gifting to the County a 25' wide public bike path and equestrian trail easement, to connect the communities of Santa Margarita and Garden Farms.

County Park staff has been working with Mr. Rossi on the easement agreement and survey documents necessary for the County Board of Supervisors to approve the trail easement, enabling the easement to be legally recorded. The San Luis Obispo Parks Open Space & Trails Foundation (SLOPOST) has provided the funding to hire a surveyor to prepare the easement depictions (attached) and legal descriptions to accompany the easement agreement.

Public Input:

On June 12, 2013, parks staff presented the proposed trail easement alignment to the SMAAC and members of the public. Attached to this report is a summary of the comments received. A strong consensus of support was expressed for this trail. The trail has been requested for many years as an off street connector between the two communities, a safe route to school and Mr. Rossi is to be commended for offering such an easement without costs to the communities.

Those who expressed concern and did not favor the trail expressed feelings that such a trail located near their homes would result in significant security and noise problems, and a belief that trails should not be located within twenty feet of their homes or terminate at Yerba Buena Street.

In response, staff can share the following information:

Security- studies show that providing public trail access to an area that is otherwise only accessible by trespassing on private property actually reduces the incidence of crime and trespass beyond the pathway. The Rails-to-Trails Conservancy surveyed management agencies overseeing 372 trails throughout the United States for their 1998 report titled “Rail-Trails and Safe Communities.” This effort documents the level of crime on trails and identifies mitigation measures used by trail designers and managers to minimize the potential for crime. Local experience with a similar trail (Bob Jones Trail, Avila Beach) confirms the study’s conclusions as the community has seen no increase to crime due to the trail.

Noise- Per County Code, a curfew is established between the hours of 10:00 pm and 6:00 am at all county parks and facilities. The director or designee is authorized to promulgate opening and closing hours for all county parks and facilities. Typically, trails near residential areas are open from around 7:00 am until dusk. Trail users tend to be walking, jogging or riding horses and do not present noisy activities usually found in active recreational areas of our County Parks.

Privacy- Trail development may result in some loss of privacy for adjacent residential land owners. Supplemental vegetation, combined with adequate fencing and signage could help protect the privacy of the adjacent land owners. With this in mind, the proposed trail easement has not been placed immediately adjacent to the rear of properties along “F” Street in Santa Margarita. A 20’ wide public alley right-of-way exists between the residential properties and the trail easement. The trail access point at Yerba Buena Street will be located at the end of Yerba Buena St. Those who use the trail to access Yerba Buena St. may walk into town and could ride their horses or bicycles along the public roadway which will present some interaction between trail users and neighbors. However, this will occur on an established public roadway and is in full accordance with County ordinance.

Steps for securing this trail easement and developing a trail:

Process for securing the trail easement:

1. County Parks staff has walked the proposed corridor with the owner and stakeholders to assess trail constructability, owner needs, and optimum user experience. Both the owner and the County staff have agreed on the proposed trail easement alignment.
2. County Parks has worked with the land owner and County Counsel on the development of the easement agreement outlining the conditions of the easement.
3. County Parks has coordinated with the surveyor for provision of easement depictions and legal descriptions funded by SLOPOST.
4. Once the Parks and Recreation Commission makes a recommendation to the Board of Supervisors, legal descriptions will be prepared and reviewed.
5. Following that step, the County Environmental Coordinator’s Office will conduct an environmental review for the proposed public trail easement offer.
6. Once the legal descriptions and environmental reviews have been completed, County Parks will take the easement agreement to the Board of Supervisors for approval.

Process for developing a trail:

1. County parks would identify funding source(s) for trail design and engineering.
2. County parks would take proposed project to the Board of Supervisors to create a capital project and designate the funding source(s).

3. County parks would work with stakeholders and consultant on trail design and components.
4. Preliminary environmental studies would be conducted as necessary.
5. County Parks would take the preliminary design and environmental document to the Parks and Recreation Commission for a recommendation to the Board of Supervisors.
6. County Parks would identify funding source(s) for trail construction and operations.
7. County Parks would take the proposed project to the Board of Supervisors to approve the project, adopt the environmental document, and designate funding.
8. Construction drawings and specifications would be completed.
9. The project would be advertised for construction bids.
10. The Board of Supervisors would award the construction bid.
11. Construction would commence.

Other Agency Involvement:

County Counsel and Real Property Services have reviewed the easement agreement. Staff presented the proposed trail easement as an agenda item in a regularly scheduled meeting of the Santa Margarita Area Advisory Council.

Financial Considerations:

The cost of surveying services, for securing the trail easement, has been funded by SLOPOST in the amount of approximately \$10,000.

Funding for design, environmental review, construction, and maintenance has not been identified. Likely sources for funding these steps would include, Park Public Facility Fees, public and private grants.

Operating costs and/or Adopt A Trail Agreements would be identified prior to initiating any construction of trail improvements.

Attachments

- Attachment 1 - Vicinity Map
- Attachment 2 - Trail Alignment (section 1)
- Attachment 3 - Trail Alignment (section 2)
- Attachment 4 – SMAAC Meeting Comments, June 12, 2013